

**GENERAL DISTRIBUTION**

**WEST VIRGINIA  
DIVISION OF CORRECTIONS  
& REHABILITATION**

**NUMBER: 133.00**

**DATE: 01 December 2020**

**SUBJECT: CORRECTIONAL OFFICER  
REALLOCATIONS**

# **POLICY DIRECTIVE**

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**PURPOSE:**

To establish and maintain appropriate guidelines and procedures for the non-automatic reallocation of Correctional Officers.

**REFERENCE:**

143CSR1 Title 143 Legislative Rule of the West Virginia Division of Personnel; and WV Division of Personnel Policy DOP-P24 Settlement Agreements/Back Wages.

**RESPONSIBILITY:**

No additional written instructions on this subject are required.

**CANCELLATION:**

Any previous written instruction on the subject, including DJS Policy 139.00, dated 01 January 2008; and DOC Commissioner's Instruction #16-11, dated 31 August 2016.

**APPLICABILITY:**

All facilities and work units within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution.

**DEFINITIONS:**

**Appointing Authority:** The executive or head of a department or agency who is authorized by statute to appoint employees in the classified or classified-exempt service.

**Permanent Employee:** Any classified employee who was hired from a register and who has completed the probationary period prescribed by the State Personnel Board for the job class, or any classified-exempt employee who was hired to fill a position for an unlimited

period of time, notwithstanding the Appointing Authority's right to terminate the employee for cause or at his or her will.

**Position Description Form (PDF):** The document prepared by the position supervisor or the employing agency and approved by the Appointing Authority, which describes the officially assigned duties, responsibilities, supervisory relationships, and other pertinent information relative to a position. This document is a basic source of official information in position allocation.

**Probationary Period:** A specified trial work period prescribed by the Director of the Division of Personnel designed to test the fitness of an employee selected from a competitive list of eligibles for the position for which an original appointment has been received.

**Reallocation:** Reassignment by the Director of the Division of Personnel of a position from one class to a different class on the basis of a significant change in the kind and/or level of duties and responsibilities assigned to the position or to address a misalignment of title and duties.

## **POLICY:**

- I. Upon successful completion of the one (1) year probationary period by an entry-level Correctional Officer I, he or she shall attain permanent status and be reallocated to a Correctional Officer II. This reallocation shall effectuate a pay increase.
  - A. Time spent by probationary employees on unpaid leave of absence, disciplinary suspension, or non-disciplinary suspension resulting in separation from employment through resignation, transfer, or dismissal extends the probationary period correspondingly.
    1. Employees receiving temporary total disability benefits as the result of a work-related injury are considered to be on an unpaid medical leave of absence without pay status, and extends the probationary period for a period of time equal to the leave of absence.
    2. Time spent on military leave also extends the probationary period.
  - B. Designated staff shall be responsible for completion of the Correctional Officer Reallocation Form (**Attachment #1**) and submission to the designated Division of Administrative Services (DAS) staff six (6) weeks prior to the reallocation date.
    1. It is critical this time frame is followed to ensure timely processing of the reallocation. Settlement agreements for back wages shall only be authorized when agency delays occur at any phase(s) of the established process set forth herein.
      - a. The Division of Personnel (DOP) has sixty (60) calendar days in which to communicate a classification determination to the Appointing Authority.

- b. DAS has thirty (30) calendar days after receiving the determination from DOP to process the corresponding personnel transaction.
  2. An appraisal of the employee's services in accordance with DCR Policy Directive 138.00 Employee Performance Appraisals (EPA) and a Position Description Form (PDF) shall also be submitted.
- II. Upon completion of two (2) calendar years as a Correctional Officer, he or she shall be reallocated to a Correctional Officer III. This reallocation shall effectuate a pay increase.
- A. The employee must have successfully completed his or her probationary period.
  - B. Breaks in service such as, but not limited to, unpaid leave of absence, disciplinary suspension, and non-disciplinary suspension resulting in separation from employment through resignation, transfer, or dismissal, extends the two (2) calendar years accordingly. Military leave and worker's compensation do not count as breaks in service for this purpose.
  - C. Designated staff shall be responsible for completion of the Correctional Officer Reallocation Form (**Attachment #1**) and submission to the designated DAS staff six (6) weeks prior to the reallocation date.
    1. It is critical this time frame is followed to ensure timely processing of the reallocation. Settlement agreements for back wages shall only be authorized when agency delays occur at any phase(s) of the established process set forth herein.
      - a. The Division of Personnel (DOP) has sixty (60) calendar days in which to communicate a classification determination to the Appointing Authority.
      - b. DAS has thirty (30) calendar days after receiving the determination from DOP to process the corresponding personnel transaction.
    2. An appraisal of the employee's services in accordance with DCR Policy Directive 138.00 Employee Performance Appraisals (EPA) and a Position Description Form (PDF) shall also be submitted.

**ATTACHMENT(S):**

#1 Correctional Officer Reallocation Form

APPROVED SIGNATURE: \_\_\_\_\_

  
Betsy C. Jividen, Commissioner

11-19-20  
Date

## WV DIVISION OF CORRECTIONS & REHABILITATION

### Reallocation of Correctional Officer Form

Employee Name: \_\_\_\_\_

Check One: Reallocating from CO1 to CO2  or Reallocating from CO2 to CO3

Social Security Number (last four digits): \_\_\_\_\_

Name of Facility: \_\_\_\_\_

Employment State Date: \_\_\_\_\_

Date or Anticipated Date of Completion of Probationary Period: \_\_\_\_\_

Date or Anticipated Date of Completion of Two Years as a Correctional Officer: \_\_\_\_\_

Has employee had any breaks in service? \_\_\_\_\_ If yes, please explain below, including dates:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee Performance Appraisal (EPA) attached

Position Description Form (PDF) attached

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_  
(signature)